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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,072	11/30/2000	Eric Graves	04860.P2555	3970

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EXAMINER

RAHMJOO, MANUCHER

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 12/17/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/728,072

Applicant(s)

GRAVES ET AL.

Examiner

Mike Rahmjoo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1- 36 are rejected under 35 U.S.C. 102(e) as being anticipated by MacInnis et al, US Patent 6,501,480, hereinafter, MacInnis.

As per claims 1, 10, 19, and 28 MacInnis teaches retrieving a first command from a script written for a first color space (e.g. YUV used for video or alternate formats see for example column 42) in figures 4, 5, and 13- 14 (different blocks for image processing) and also see for

example column 6 lines 19- 29; determining a behavior of the first command (recognizing only one CLUT) wherein the behavior of the first command is unique behavior when the first command only operates in the first color space see for example column 7 lines 34- 35; and transparent behavior when the first command generates similar results in the first color space and in the second color space (transparent if the pixel falls within a range of possible colors) see for example column 14 lines 4- 14, and different when the first command generates different results in the first color space and in the second color space see for example column 7 lines 35- 39 (wherein multiple CLUTs are used with different graphics windows having graphic data with different CLUT formats); and processing (conversion and controlling processes) an operation associated with the first command using the behavior of the first command, wherein the operation is processed in a preferred format (YUVa) based on current formats of the input buffers (FIFO) see for example column 7 lines 14- 25 and column 9 lines 5- 23.

As per claims 2, 11, 20, and 29 MacInnis teaches the preferred format is determined to minimize 2 color space conversion of the input buffers see for example column 41 lines 11- 23 and also in figure 4 and columns 6- 7 and column 42 lines 13- 21 (the color space preferably being in YUV format).

As per claims 3, 12, 21, and 30 MacInnis teaches the preferred format is a format used with the second color space when at least one of the input buffers and output buffers is in the format used with the second color space see for example column 7 lines 14- 25 and column 9 lines 5- 23 and column 42 lines 1- 21 (wherein different windows can be in different formats and are captured in the memory) and

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figures 4 and 24(up scaling and down scaling and blending through image processing commands and storing).

As per claims 4, 13, 22, and 31 MacInnis teaches processing the first command in the preferred format comprises converting the input buffers to the preferred format see for example figure 5 and also in column 9.

As per claims 5, 14, 23, and 32 MacInnis teaches when the first command has the unique behavior, the preferred format is a format used with the first color space see for example column 7 lines 24- 35 and also in figures 10- 11 and columns 24- 25.

As per claims 6, 15, 24, and 33 MacInnis teaches when the first command has the different behavior, the first command is transformed to a second command in the second color space, wherein the second command performs a similar operation in the second color space as the first command in the first color space see for example column 7(using different graphic windows having graphic data with different CLUT formats and performing similar image processing operation e.g., blending as shown in figure 4), and column 9 lines 5- 34 through various converters with different and similar formats, and column 14.

As per claims 7, 16, 25, and 34 MacInnis teaches if the second command can not perform the similar operation with the zero or more parameters of the first command, the parameters are transformed to comparable parameters for the second command such that the second command performs the similar operation in the second color space as the first command in the first color space see for example

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figures 5 and 10 (different converters e.g., blocks 136 and 134 performing similar operations which are fed into blocks 138 and are blended in block 140) and column 9.

As per claims 8, 17, 26, and 35 MacInnis teaches the comparable parameters are compatible with the preferred format see for example figures 5 and 10 and column 9 lines 35- 48 wherein converter 138 has the same parameters with the same format.

As per claims 9, 18, 27, and 36 MacInnis teaches if the zero or more parameters of the first command cannot be transformed to comparable parameters for the second command, operate the first command with the unique behavior instead of with the different behavior see for example figures 5 and 10 and columns 23 and 24 through the usage of only one CLUT.

Response to Arguments

Applicant's arguments filed 11/10/2003 have been fully considered but they are not persuasive.

In response to applicant's remarks on page 10, applicant argues that in the final action mailed August 5, 2003 the examiner recited the claim limitations of the originally filed claims and not the currently pending claims, in rejecting the pending claims. The examiner respectfully disagrees.

The final office action mailed on August 5, 2003 recites the claim limitations of the currently pending claims, in rejecting the pending claims on pages 2 and 3 of the rejection and the amendments to the claims appear in the final rejection.

The examiner also points out that the term “behavior” is broadly recited in the claim. The examiner is interpreting the **variations of the CLUT output** as corresponding to the term “**behavior**”. Therefore, having considered the variations within the CLUTs as corresponding to the behavior of the first command, they show the relationships of determining the behavior of one or multiple CLUTs as unique, transparent, and different.

As per applicant’s remarks on page 11, applicant argues that the prior art made of the record does not teach “determining a behavior of the first command”. The examiner respectfully disagrees.

The examiner would point out that recognizing **only one CLUT** is a determination of a behavior of the first command.

Processing an operation associated with the first command is clearly taught through conversion and controlling of the data.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

DeLeeuw et al (US Patent 6,151,030) teaches transparency of graphics with input and output frame buffers and mixed color pixels.

Curry (US Patent 6,239,829) teaches first and second color space transformation with input and output buffers.

Syeda- Mahmood (US Patent 6,469,706) teaches surface color code and optimal color space and comparative descriptors.

Stroyan (US Patent 6,429,877) teaches first and second color primitives and frame buffers and alpha values associated with the pixels.

Inquiry

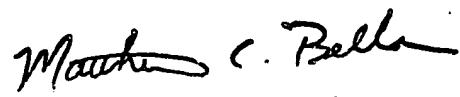
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Rahmjoo whose telephone number is (703) 305- 5658. The examiner can normally be reached on 6:30- 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (703) 308- 6829. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872- 9314 for regular communications and (703) 872- 9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305- 4750.

Mike Rahmjoo

December 9, 2003



MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600